

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 12, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-13158 - APPLICANT/OWNER: BART MAYBIE

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. The limits of this vacation shall be the western 30-feet of Buffalo Drive between Maggie Avenue and Iron Mountain Road.
2. This Petition of Vacation shall be revised to retain a Public Sewer Easement over the existing public sewer stub from Silverstone Ranch Parcel 17.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. Conformance to Extension of Time (EOT-13160) and Extension of Time (EOT-13163) and all previous approvals affecting this proposal is required.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City Departments.

9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public street light and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant is requesting a petition to Vacate a portion of the west half of Buffalo Drive south of Iron Mountain Road.

EXECUTIVE SUMMARY

This request is part of a larger, 19-lot residential subdivision. Staff has no concerns with this request and Public Works has indicated that there are no issues with the application. Approval of this request is contingent on the approval of two Extensions of Time (EOT-13160 and EOT-13163) for previously approved applications that are critical to the overall development. Staff recommends approval.

BACKGROUND INFORMATION

A) Related Actions

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| 08/04/04 | The City Council approved a Special Use Permit (SUP-4558) for private streets in conjunction with a proposed single-family residential development adjacent to the northeast corner of Coke Street and Maggie Avenue. The Planning Commission and Staff recommended approval. |
| 01/05/05 | The City Council approved a Variance (VAR-5227) to allow a 25-foot front yard setback where 30 feet is required and to allow a 25-foot rear yard setback where 35 feet is required. |
| 01/19/05 | The City Council approved a Vacation (VAC-5508) to vacate a portion of the west half of Buffalo Drive south of Iron Mountain Road. The Planning Commission and Staff recommended approval. |
| 04/28/05 | The Planning Commission approved a Tentative Map (TMP-6237) for a 19-lot single-family residential subdivision on 10.25 acres adjacent to the northeast corner of Coke Street and Maggie Avenue. Staff recommended approval. |

- 06/07/06 The City Council approved an Extension of Time (EOT-13160) of an approved Special Use Permit (SUP-4558) for private streets in conjunction with a proposed single-family residential development and an Extension of Time (EOT-13163) of an approved Variance (VAR-5227) to allow a 25-foot front yard setback where 30 feet is required and to allow a 25-foot rear yard setback where 35 feet is required adjacent to the northeast corner of Coke Street and Maggie Avenue.
- 06/08/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #6/stf).

B) Pre-Application Meeting

A pre-application meeting was not required with this application.

C) Neighborhood Meetings

A neighborhood meeting was not required as part of this application.

DETAILS OF APPLICATION REQUEST

The above property is legally described as the west half (W½) of Buffalo Drive, thirty feet (30') wide, including a portion of the offset cul-de-sac. It is being requested as part of a previously approved 19-lot residential subdivision.

ANALYSIS

A) Planning discussion

The same proposal was originally approved on 01/19/05. However, it expired one year later and was not exercised. As such, the applicant is requesting approval for the same vacation. A condition has been added requiring that this approval conform to the approval of two Extensions of Time (EOT-13160 and EOT-13163) related to the proposed development. Staff supports the request if all conditions are met.

B) Public Works discussion

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
N/A, since the east half of Buffalo Drive is in the process of being vacated by VAC-3307.

- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since Buffalo Drive north of Maggie Avenue is an unused street.*
- C. Does it appear that the vacation request involves only excess right-of-way? *No, it is the reciprocal vacation for the east half of Buffalo Drive (VAC-3307).*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the northeast corner of Maggie Avenue and Coke Street is developing as a residential subdivision.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0